

therefore, be remanded with directions to specify the basis for the decision denying benefits.

The Appeals Board recognizes the Workers Compensation Act does not specifically require the administrative law judge to provide a statement of the basis for their preliminary hearing decisions. However, when benefits are denied and those benefits may have been denied because of a finding not subject to review, the Appeals Board cannot perform its obligations under the Act without an indication by the administrative law judges as to the basis for their decision. In the absence of such an indication, the Appeals Board has no alternative but to remand the claim directing the administrative law judge to add to the order a brief sentence or statement of the finding or findings which constituted the basis for the decision.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that this proceeding should be, and the same hereby is, remanded to Administrative Law Judge James R. Ward with instructions to state what finding or findings constituted the basis for the decision denying claimant's request for chiropractic benefits. The Appeals Board does not retain jurisdiction over this proceeding.

IT IS SO ORDERED.

Dated this ____ day of July 1995.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Derek J. Shafer, Topeka, Kansas
 Frederick J. Greenbaum, Kansas City, Kansas
 Mickey W. Mosier, Salina, Kansas
 Jeffrey King, Salina, Kansas
 James R. Ward, Administrative Law Judge
 David A. Shufelt, Acting Director